

10/634,289

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PC25244A

**REMARKS**

Claims 1, 2, and 4 to 12 are allowed.

***Comments on Statement of Reasons for Allowance***

In item 2 of the Notice, the Examiner stated the following reason for allowance:

The rejection for claims 1, 2, 4, and 9 under 35 U.S.C. § 102(b) as allegedly being anticipated by Hadley et al. (U.S. 6,245,778) is withdrawn in view of the amendment of Q, which amendment thereby excludes Hadley et al.'s species compounds wherein Q is  $C(O)NR^6$ ,  $R^1$  is substituted phenyl, Y is  $CH_2$ , and  $R^2$  is alkyl.

In the non-final Office Action mailed January 21, 2005, claims 1, 2, 4, and 9 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hadley et al. because it was asserted that the compounds of claim 2 (columns 22-23), and the pharmaceutical compositions thereof, of Hadley et al. are encompassed by the instant claims wherein Q is  $NR^6C(O)$ ,  $R^1$  is substituted phenyl, Y is  $CH_2$ , and  $R^2$  is alkyl. Applicants disagree. As Applicants pointed out previously,<sup>1</sup> the compounds of Hadley et al. contain the group  $C(O)-N(H)$ , whereas the Q group of original claim 1 of the present application has the reverse orientation,  $N(R^6)C(O)$ . The  $C(O)-N(H)$  group of Hadley et al. is not found in the Q of original claim 1 of the present application, and thus Hadley et al. does not anticipate claims 1, 2, 4, or 9 under 35 U.S.C. § 102(b).

Respectfully submitted,

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<sup>1</sup> See Applicants paper, Amendment & Reply Under 35 U.S.C. § 1.111 sent on March 24, 2005.